IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Michael HECKMEIER et al.

Serial No.: 10/535,104 Group Art Unit: 2873

Filed: May 16, 2005 Examiner: Jerry C. Fang

For: ELECTRO-OPTICAL LIGHT MODULATION ELEMENT, ELECTRO-OPTICAL

DISPLAY AND MODULATION MEDIUM

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

Timing and Fees

Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this information disclosure statement is filed:						
	within three months of the filing date of a national application other than a CPA under § 1.53(d);					
	within three months of the actual filing date of the national phase of a PCT application; OR					
	before the mailing of a first substantive office action (including after filing of an RCE).					

Under 37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods specified in 37 C.F.R. § 1.97(b), but before the mailing date of:

a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and

		is accompanied by:				
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR			
		\boxtimes	enclosed is the fee of \$180.00 under 37 C.F.R. § 1.17(p).			
	Under 37 C.F.R. § 1.97(d), this information disclosure statement is filed after the mai date of the following actions which have not been withdrawn:					
		a final	action under 37 C.F.R. § 1.113;			
		termina	ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);			
		OR a n	notice of allowance under 37 C.F.R. § 1.311;			
	AND i	AND is filed on or before payment of the issue fee; AND is accompanied by:				
		the statement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of \$180.00 under 37 C.F.R. § 1.17(p).				
Staten	nents Ur	nder 37	C.F.R. 1.97(e)			
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or			
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.			
Cited :	Materia	<u>ls</u>				
		Copies of materials listed but not attached were cited in benefit (35 U.S.C. § 120 ancestor application Serial No, on Form 892 by the Examiner and/or Form 1449 by the applicant; see 37 C.F.R. § 1.98(d).				
		Copies of materials listed but not attached were cited in an international seareport dated				
		Not re	quired by 37 CFR § 1.98.			
	\boxtimes	Copies	s of the materials listed are attached (except for the foregoing).			

Non-E	nglish I	Language References				
		An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).				
		A foreign-language search report from a foreign patent office is provided, an pertinent parts are translated substantively below:				
		 X = document of particular relevance when it is taken alone Y = document of particular relevance when it is combined with another such document 				
		A = document defining the general state of the art				
		O = non-written disclosure P = intercalated document				
		T = document cited to understand the theory or principle underlying the invention				
		E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date				
		D = cited in the application				
		L = cited for another reason & = publication of member of same patent family				
		Translation of other relevant information on foreign search report				
	[insert necessary translation here]					
Other	Informa	ution				
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	Please charge to Deposit Account No. 13-3402 \$ for the fee identified above.					

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

/Harry B. Shubin/

Harry B. Shubin, Reg. No. 32,004 Attorney/Agent for Applicants

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Attorney Docket No.: MERCK-3016

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HBS:pdr

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Substitute fo	or form 1449A/PTC)		Complete if Known		
INFOR	IAOITA NA	Die	CLOCUDE	Application Number	10/535,104	
			CLOSURE	Filing Date	May 16, 2005	
STATEMENT BY APPLICANT				First Named Inventor	Michael HECKMEIER et al.	
				Group Art Unit	2873	
(use as many sheets as necessary)				Examiner Name	Jerry C. Fang	
Sheet	1	of	1	Attorney Docket Number	MERCK-3016	

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials *	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	γ²
	1	"Polymer-stabilized liquid crystal blue phases," Hirotsugu Kikuchi et al., nature materials - Vol. 1 - September 2002 - pages 64-68.	
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Examiner	Date
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.